

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

JONATHAN SMITH, et al.,

Plaintiffs,

v.

GEORGIA ENERGY USA, LLC,
et al.,

Defendants.

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CV 208-020

O R D E R

On September 22, 2014, this Court held a telephonic status conference to address the timely issuance of notice to class members of this litigation in light of the dispositive motions pending before the Court. Based upon discussions at the hearing, the Court finds there is no longer any need to delay such notice and that it should take place as soon as possible. Therefore, in conformity with the instructions and deadlines outlined in the Court's November 11, 2009 Order adopting Plaintiffs' proposed notice (Doc. 131), the Court hereby **ORDERS** that:

Within **TWENTY (20) DAYS** of the date of this order, Class Counsel shall (1) mail notice in substantially the same form as shown in Exhibit A, which is attached to the Court's November

11, 2009 Order (Doc. 131), to those class members known to Class Counsel, or otherwise reasonably identifiable, (2) place the Court-approved notice on their website, and (3) begin publishing the notices in the newspapers¹ and websites, as set forth in their brief to the Court dated September 9, 2009 (Doc. 128, at 2-3).

Further, within SIXTY (60) DAYS of the date of this order, Class Counsel shall run at least twenty radio advertisements informing the public of this lawsuit. These announcements shall be broadcast on at least two separate radio stations, each of which should be one of the top five in market share in their respective markets, in either coastal Georgia or metropolitan Jacksonville, Florida, using Arbitron ratings data not more than one year old.²

The deadline for requests for exclusions and entries of appearances, pursuant to Federal Rule of Civil Procedure

¹ To the extent Plaintiff's brief is incomplete as to the number of notices to be placed in USA Today, the Court DIRECTS Class Counsel to publish said notices four times, in consecutive weeks, as Class Counsel proposed for all other print outlets.

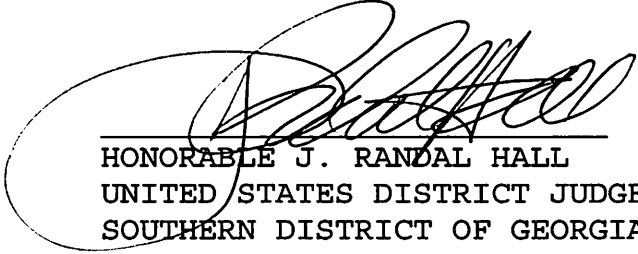
² The radio advertisement shall be substantially similar to the following:

"Attention consumers:

If you bought gasoline or diesel fuel from any of the Cisco gas stations in Kingsland or Camden County, Georgia, from January 1, 2005, through February 12, 2008, you may be a member of a class action lawsuit. For more information about this case you should call the law offices of lead Counsel for the Class of Plaintiffs, Savage, Turner, Pinson & Karsman, at 1-800-626-1975, or log onto the firm's website at www.savacelawfirm.net. It is important that you act within the next month to preserve certain rights that you may have with respect to this lawsuit. Again, that number is 1-800-626-1975."

23(c)(2), as set forth in the Class Notice, shall be **NINETY (90)** **DAYS** from the date of the initial mailing of the Class Notice. Within **TWENTY (20) DAYS** after the exclusion deadline, Class Counsel shall file an affidavit with the Clerk setting forth all persons or entities from whom exclusion requests have been received, identified by name and address.

ORDER ENTERED at Augusta, Georgia this 23rd day of September, 2014.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA